Local Government Mandate Statement Kentucky Legislative Research Commission 2024 Regular Session

Part I: Measure Information

Bill Request #: 1335								
Bill #: HB 820								
Document ID #: <u>6675</u>								
Bill Title:	AN ACT relating to rej	porting fines and fees.						
Sponsor: Representative Jennifer H. Decker								
Unit of Government:	X City	X County	X Urban-County Unified Local					
	X Charter County	X Consolidated Local						
Office(s) Impacted: Local Government Entities that assess fees and fines								
Requirement: X Mandatory Optional								
Effect on Powers & Duties:	Modifies Existing	X Adds New El	iminates Existing					

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

HB 820 would create new sections of KRS Chapter 27A to provide public access to a new database of state and local fines and fees.

Section 1 would define terms.

Section 2 would require the Administrative Office of the Courts (AOC) to develop and maintain a statewide database and searchable public website that contains information on state and local fines and fees assessed in criminal cases and civil enforcement actions.

It would also require governmental entities to submit an annual report to the AOC on fines and fees assessed during the fiscal year.

Section 3 would require the director of the AOC to publish an annual report and submit the report to the Legislative Research Commission, Attorney General, and Governor by November 30 of each year.

Section 4 would provide penalties for a governmental entity that does not submit the information required to the AOC. If the director of the AOC determines there is no good cause for the failure, a fine of \$500 or the equivalent of 25% of the fine and fee revenue collected for the fiscal year would be assessed, whichever is greater.

Section 5 would allow the Auditor of Public Accounts to perform a financial audit of records related to revenue assessed and collected through fines and fees and require a copy of the audit report to be submitted to the Legislative Research Commission, Attorney General, Governor, and director of AOC.

Section 6 would provide that data and reports compiled under the Act are subject to public inspection under the Kentucky Open Records Act.

The fiscal impact of HB 820 on local government entities is expected to be minimal assuming that these entities comply with requirements. The required annual reporting of fine and fee assessment is not expected to be particularly burdensome. The penalties of failure to report could have a significant negative impact at 25% of fine and fee revenue, however the frequency of failure cannot be predicted.

Data Source(s): <u>LRC Staff</u>

	Preparer:	Jacob Blevins (RB)	Reviewer:	KHC	Date:	3/8/24
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